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September 28, 2012

Deena Sheppard, Enforcement Specialist
USEPA – Region 5
Superfund Division (SE-5-J)
77 West Jackson Boulevard
Chicago, Illinois 60604

US EPA RECORDS CENTER REGION 5



443561

Re: Gary Development Landfill Site – Request for Information Pursuant to CERCLA
Section 104(E) Served on National Power Rodding Corporation

Dear Ms. Sheppard:

I represent National Power Rodding Corporation (“NPR”) with respect to the above matter. The following responses to USEPA’s Request for Information dated November 30, 2011 were prepared for National Power Rodding. William Kreidler of National Power Rodding has signed the certification as to the responses. I have signed the letter as to the objections and the preparation of the responses.

REQUEST NO. 1:

Provide copies of all documents, records, and correspondence in your possession relating to Gary Development Landfill.

RESPONSE TO REQUEST NO. 1:

Other than the documents provided by USEPA, NPR found no documents, records or correspondence in its possession related to the Gary Development Landfill (the “Site”).

NPR engages in the cleaning of industrial and municipal facilities. It typically performs its services by sending specialized vehicles to its customer’s locations where it performs the cleaning services at the customer’s site. The customer generates the relevant wastes. NPR would not ordinarily introduce any contaminants into the customer’s waste.

For its industrial customers, NPR would typically place the customer’s waste in containers such as rolloff boxes or drums for management by the customer. NPR does not normally transport industrial waste off the customer’s site. Normally, larger industrial customers would make arrangements for the transportation and disposal of their waste collected by NPR’s cleaning activities at off-site locations or ask NPR to transport

the materials to the waste treatment or disposal facilities managed by the customer at the customer's own site. Thus, NPR would only rarely remove industrial waste materials from a customer's site.

To conduct the inquiry necessary to respond to this question, NPR looked at its records as best as it could locate them for the relevant time period. In subsequent conversations with Nicole Wood of USEPA, USEPA agreed that NPR could narrow the search period to 1975 to 1989 (the "Relevant Period"). NPR has approximately 1,200 boxes of records in its archives. Because its computerized records only extend back to 1998, they are of little utility in searching for records in the relevant time period.

There is an index to the archived boxes. The index typically has entries for the customer name or project name. Sometimes the entries have other accounting type identifiers such as "payables" or "receivables". A few index entries have dates in the titles for the boxes but that is not common.

NPR conducted its search by identifying those boxes within the index which contained any of the following words: "Gary", "Development", "Landfill", "Indiana", "Industrial", "Payables", "Steel", and the relevant date years. NPR then examined the records in those boxes and tried to locate any records related to the Site. This search did not turn up any records responsive to USEPA's request.

During its search, NPR did locate certain accounting records from isolated years. In those records, there is a general ledger category Number 4270 for "dumper fees" or "dumping fees" where NPR would typically identify any fees paid to landfills for purposes of disposal of the waste generated by its customers. For the fiscal year ending October 31, 1974, the entries do not show any payments to the Gary Development Landfill Company.

NPR also located its general ledger for the fiscal year ending October 1984. Under the same category 4270, the report did not contain any records of any payments to Gary Development Landfill Company. NPR also located its general ledger for the fiscal year ending October 1985. Similarly, the general ledger did not identify any payments to the Gary Development Landfill Company under the line item Number 4270. NPR also located its general ledger for the fiscal year ending October 31, 1986. There were no payments to the Gary Development Landfill Company for item Number 4270 for "dumping fees".

NPR also located its cumulative ledger for the fiscal years ending October 1979 and October 1978. For item 4270, there were no fees paid to the Gary Development Landfill Company in those years.

After NPR's initial search, USEPA produced 1 document to NPR which purport to relate to two waste shipments transported by NPR from Interlake, Inc. in Riverdale, Illinois to the Gary Development Landfill in 1982. Because of the particular vehicles used for that project, NPR conducted an additional search at an affiliated company in East Chicago,

Indiana which regularly used those vehicles at that time. NPR is one of several cleaning companies which operate under the parent company Carylton Corporation. The various cleaning subsidiaries will exchange equipment as necessary to complete projects. In 1982, the company in East Chicago, Indiana was known as National Plant Services, Inc. Its records were subsequently transferred to a company known as National Industrial Maintenance, Inc. which still operates in East Chicago, Indiana.

NPR arranged to review the records held at the East Chicago location for purposes of assessing whether any additional documents could be located related to the Gary Development Landfill. NPR reviewed the records held at that location from the Relevant Time period and found no documents, records or correspondence relating to the Gary Development Landfill.

NPR also conducted an additional search of the index to its archived boxes. NPR searched for "Riverdale" and "Interlake". NPR did not find any records related to the Site based on the search for those terms.

REQUEST NO. 2:

Identify and describe, and provide all documents that refer or relate to:

- a. The precise location, address, and name of the facility where disposal, treatment, unloading, management, and handling of the hazardous substances occurred. Provide the official name of the facility and a description of the facility where each hazardous substance involved in such transactions was actually disposed or treated.
- b. If the location or facility of such disposal, treatment, unloading, management and handling is a different location or facility than what was originally intended, please provide all documents that relate and/or refer to why the substances came to be located at the different location or facility.
- c. All intermediate sites where the hazardous substances involved in each arrangement were transshipped, or where they were stored or held, any time prior to final treatment or disposal.
- d. The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all hazardous substances involved in each arrangement.
- e. In general terms, the nature and quantity of the non-hazardous substances involved in each such arrangement.
- f. The condition of the transferred material containing hazardous substances when it was stored, disposed, treated or transported for disposal or treatment.

- g. The markings on and type, condition and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment.
- h. All tests, analyses, analytical results and manifests concerning each hazardous substance involved in each transaction. Please include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, splits, composite, etc.)
- i. The final disposition of each of the hazardous substances involved in each arrangement.
- j. All persons, including you, who may have entered into an agreement or contract for the disposal, treatment or transportation of a hazardous substance at or to the site. Please provide the persons' titles and departments/offices.
 - i. The names, addresses, and telephone numbers of persons or entities who received the hazardous substances from the persons described in 2(j) above.
 - ii. Any person with whom the persons described in 2(j) made such.
 - iii. The dates when each person described in 2(j) made such arrangements and provide any documentation.
 - iv. The steps you or other persons, including persons identified in 2(j) above took to reduce the spillage or leakage. Please identify any operational manuals or policies (e.g. a facility's spill control policy) which address the management of spills and leaks and provide any documentation.
 - a. The amount paid by you, or other persons referred to in 2(j) above in connection with each transaction for such arrangement, the method of payment, and the identity of the persons involved. Please provide any contracts, written agreements, or documentation reflecting the terms of the agreements.
 - b. The amount of money received by you or other persons referred to in 2(j) above for the sale, transfer, or delivery of any material containing hazardous substances and provide any documentation. If the material was repaired, refurbished, or reconditioned, how much money was paid for this service?
- k. Who controlled and/or transported the hazardous substances prior to delivery to the Site? Provide agreements and/or documents showing the times when each party possessed the hazardous substances.

- l. The owner(s) or possessor(s) (persons in possession) of the hazardous substances involved in each arrangement for disposal or treatment of the substances. If the ownership(s) changed, when did this change(s) occur? Please provide documents describing this transfer of ownership, including the date of transfer, persons involved in the transfer, reason for the transfer of ownership, and details of the arrangement(s) such as contracts, agreements, etc. If you did not own the hazardous substances when shipped, who did own it and how did you come to own the hazardous substances?
- m. Who selected the location where the hazardous substances were to be disposed or treated?
- n. How were the hazardous substances or materials containing hazardous substances planned to be used at the Site?
- o. What was done to the hazardous substances once they were brought to the Site, including any service, repair, recycling, treatment, or disposal.
- p. What activities were typically conducted at the Site or the specific facility where the hazardous substances were sent? What were the common business practices at the Site? How and when did you obtain this information?
- q. How were the hazardous substances typically used, handled, or disposed of at the Site?
- r. How long did you have a relationship with the owner(s) and/or operator(s) of the Site?
- s. Did you have any influence over waste disposal activities at the Site? If so, how?
- t. What percentage of your total hazardous substances went to the Site?
- u. What steps did you take to dispose of or treat the hazardous substances? Please provide documents, agreements and/or contracts reflecting these steps.
- v. What involvement (if any) did you have in selecting the particular means and method of disposal of the hazardous substances.
- w. At the time you transferred the hazardous substances, what did you intend to happen to the hazardous substances? Please provide any contracts, written agreements, and/or other documentation reflecting the intention of the parties. If you do not have such documents and/or materials, please so state.
- x. With respect to all transactions involving hazardous substances, at the time of the transaction, specify the measures you took to determine the actual means of treatment, disposal or other uses of hazardous substances. Provide information you had about the treatment and disposal practices at the Site. What assurances, if

any, were you given by the owners/operators at the Site regarding the proper handling and ultimate disposition of the materials you sent there?

- y. What efforts, if any, did you take to investigate the nature of the operations conducted at the Site and the environmental compliance of the Site prior to selling, transferring, delivering (e.g., for repair, consignment, or joint-venture), disposing of, or arranging for the treatment or disposal of any hazardous substances.
- z. Was there a shrinkage/spillage provision or loss allowance in the contract, or an understanding outside of the contract? As a part of the transaction, was there any penalty for shrinkage, spillage, or loss? Did the arrangement acknowledge that spills would occur?

RESPONSE:

To the extent that the request Number 2 relates to the Gary Development Landfill Site, NPR did not locate any responsive documents. USEPA provided 1 responsive document which is described below.

NPR objects to Request Number 2 as being vague and containing many assumptions inconsistent with the nature of the services provided by NPR. For example, NPR does not generate any waste and the inquiries seem to be directed at that status. NPR also objects that it has no evidence that the materials described in the USEPA's document contained hazardous substances or that NPR selected the site for disposal.

2(a):

"GLD" in Gary, Indiana.

2(b):

NPR has no information to enable it to respond to this question.

2(c):

NPR has no information to enable it to respond to this question.

2(d):

Oil sludge.

2(e):

16 cubic yards of oil sludge on 2 occasions.

2(f):

Oil sludge. NPR objects that it has no evidence that the materials contained hazardous substances.

2(g):

Vacuum trucks. NPR objects that it has no evidence that the materials contained hazardous substances.

2(h):

NPR has no information to enable it to respond to this question.

2(i):

Disposal. NPR objects that it has no evidence that the materials contained hazardous substances.

2(j):

Interlake, Inc., Illinois

- i. GLD, Gary, Indiana
- ii. Unknown
- iii. February 1982
- iv. NPR would have adhered to its customary practices to prevent any spills from its vehicles.
- v. (a) – (b) unknown

2(k):

Interlake controlled the oil sludge and NPR was hired to haul it to GLD in Gary, Indiana.

2(l)

Interlake owned the oil sludge.

2(m):

NPR's industrial customers, like Interlake, customarily select the method and locations used for disposal, recycling, or treatment of their wastes.

2(n):

NPR has no information to enable it to respond to this question.

2(o):

NPR has no information to enable it to respond to this question.

2(p):

NPR has no information to enable it to respond to this question.

2(q):

NPR has no information to enable it to respond to this question.

2(r):

There is no evidence of a relationship between NPR and GLD in Gary, Indiana either before or after the two February 1982 shipments. See Summary of 1974, 1978, 1979, 1984, 1985, and 1986 financial records in response to Request No. 1.

2(s):

No.

2(t):

Zero.

2(u):

NPR has no information to enable it to respond to this question.

2(v):

NPR's industrial customers, like Interlake, customarily select the method and locations used for disposal, recycling, or treatment of their wastes.

2(w):

NPR has no information to enable it to respond to this question.

2(x):

NPR has no information to enable it to respond to this question.

2(y):

NPR has no information to enable it to respond to this question.

2(z):

NPR has no information to enable it to respond to this question.

REQUEST NO. 3:

Provide names, addresses and telephone numbers of any individuals including former and current employees, who may be knowledgeable of National Power Rodding's operations and hazardous substances handling, storage and disposal practices.

RESPONSE TO REQUEST NO. 3:

In the relevant time period, NPR identified the following individuals who may be knowledgeable about NPR's practices: Ronald Kwiecinski, Jerry Dennison, Sam Kite, Doris Freeman, Daryl Hager, Ross Howell, Paul Fuller, Bill Bauman, Lloyd Kimura, Arlene Borski, Vince Malvo, and Theresa Stanik. If USEPA wishes to speak to any of these individuals, please provide the basis for that request and NPR's counsel will respond.

REQUEST NO. 4:

State the date(s) on which the drums and/or hazardous substances were sent, brought or moved to the Site and the names, addresses and telephone numbers of the person(s) making arrangements for the drums to be sent, brought or moved to the Site.

RESPONSE TO REQUEST NO. 4:

On February 2, 1982 and February 4, 1982, oil sludge was hauled to GLD in Gary, Indiana as requested by NPR's customer Interlake, Inc.

REQUEST NO. 5:

List all federal, state and local permits and/or registrations issued to National Power Rodding for the transport and/or disposal of materials.

RESPONSE TO REQUEST NO. 5:

NPR objects to this request as overbroad to the extent that it seeks information outside the Relevant Period. NPR does not have records relating to its permits and registrations for the Relevant Period.

REQUEST NO. 6:

Which shipments or arrangements were sent under each permit? If what happened to the hazardous substances differed from what was specified in the permit, please state, to the best of your knowledge, the basis or reasons for such difference.

RESPONSE TO REQUEST NO. 6:

See response to request Number 5.

REQUEST NO. 7:

Were all hazardous substances transported by licensed carriers to hazardous waste TSDFs permitted by the USEPA?

RESPONSE TO REQUEST NO. 7:

NPR objects to Request Number 7 because implies that NPR generated the hazardous substances in the Relevant Period. NPR does not engage in the hauling of hazardous waste to hazardous waste TSDF facilities.

REQUEST NO. 8:

List all federal, state and local permits and/or registrations and their respective permit numbers issued for the transport and/or disposal of wastes.

RESPONSE TO REQUEST NO. 8:

See response to Request Number 5.

REQUEST NO. 9:

Does your company or business have a permit or permits issued under RCRA? Does it have, or has it ever had, a permit or permits under the hazardous substance laws of the State of Indiana? Does your company or business have an EPA Identification Number, or an identification number supplied by the State Environmental Protection Agency? Supply any such identification number(s) your company or business has.

RESPONSE TO REQUEST NO. 9:

See request and response to Request Number 5.

REQUEST NO. 10:

Identify whether a Notification of Hazardous Waste Activity was ever filed with the EPA or the corresponding agency or official of the State of Indiana, the date of such filing, the wastes described in such notice, the quantity thereof described in such notice, and the identification number assigned to such facility by EPA or the state agency or official.

RESPONSE TO REQUEST NO. 10:

See response to Request Number 5.

REQUEST NO. 11:

Provide the correct name and addresses of your plants and other buildings or structures where National Power Rodding carried out operations in Indiana and Illinois (excluding locations where ONLY clerical/office work was performed).

RESPONSE TO REQUEST NO. 11:

See request and response to Request Number 5.

NPR is currently located at 2500 West Arthington Street, Chicago, Illinois. In the relevant period, NPR also operated at 1005 S. Western Avenue, Chicago, Illinois. Based on the document provided by USEPA, NPR also may have carried out operations using vehicles from the East Chicago facility which then housed National Plant Services, Inc.

REQUEST NO. 12:

Provide a schematic diagram or flow chart that fully describes and/or illustrates your company's operations.

RESPONSE TO REQUEST NO. 12:

1. Industrial Customer generates waste materials
2. Industrial Customer contacts NPR to request cleaning services
3. NPR performs services at Industrial Customer's location to clean affected structures
4. NPR places Industrial Customer's waste materials in containers, tanks or rolloff boxes
5. NPR leaves containers for management by Industrial Customer
6. If requested by Industrial Customer, NPR delivers containers to location requested by customer (usually at Customer's site)
7. On occasion, NPR would deliver the Industrial Customer's waste to a permitted treatment or disposal facility as directed by Customer.

REQUEST NO. 13:

Provide a brief description of the nature of your company's operations at each location including: if the nature or size of your company's operations changed over time, describe those changes and the dates they occurred.

RESPONSE TO REQUEST NO. 13:

NPR's operations have not changed significantly over time. The size of those operations has grown over time gradually as NPR has been successful in the market place.

REQUEST NO. 14:

List the types of raw materials used in your company's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

RESPONSE TO REQUEST NO. 14:

NPR objects to this request on the grounds of relevance in that it assumes that NPR is a generator/manufacturer. NPR does not manufacture any products and the question is inapplicable to its operations.

REQUEST NO. 15:

Provide copies of Material Safety Data Sheets (MSDS) for materials used in your company's operations.

RESPONSE TO REQUEST NO. 15:

NPR's typical operations include the use of high powered water or steam for cleaning purposes. Customers provide the source of water. As it relates to its operations at its customer locations, NPR would not typically use any materials for which material safety data sheets would be required other than potentially routine cleaning and safety supplies or grout for sewer line repairs. NPR has located no MSDS sheets for materials used in its operations related to the Site. NPR objects to any requests that it provide MSDS sheets for any operations not related to the Site as that request would be overbroad.

REQUEST NO. 16:

Provide any release reports that were taken pursuant to Section 103(a) of CERCLA and Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA).

RESPONSE TO REQUEST NO. 16:

NPR objects to Request Number 16 as overbroad except to the extent that it limited reports related to reports related to the Site. NPR has located no requested reports related to the Site in its document search.

REQUEST NO. 17:

Identify all federal offices to which National Power Rodding has sent or filed hazardous substance or hazardous waste information.

RESPONSE TO REQUEST NO. 17:

NPR objects to Request Number 17 as overbroad except to the extent that it limited reports related to reports related to the Site. NPR has located no federal reports related to the Site in its document search.

REQUEST NO. 18:

State the years during which such information was sent/filed.

RESPONSE TO REQUEST NO. 18:

See Response to Request Number 17.

REQUEST NO. 19:

Identify (see Definitions) all Illinois and Indiana state offices to which National Power Rodding has sent or filed hazardous substance or hazardous waste information.

RESPONSE TO REQUEST NO. 19:

See Response to Request Number 17. In March 1982, NPR filed a SPC-17 Liquid Waste Removal Record Hauler Report with the Indiana Stream Pollution Control Board.

REQUEST NO. 20:

State the years during which such information was sent/filed.

RESPONSE TO REQUEST NO. 20:

See Response to Request Number 19.

REQUEST NO. 21:

List all federal and state environmental laws and regulations under which National Power Rodding has reported to federal or state governments, including but not limited to: Toxic Substances Control Act (TSCA), 15 U.S.C. Sections 2601 to 2692; Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. Sections 11001 to 11050; and the Clean Water Act, 33 U.S.C. Section 1251 to 1387.

RESPONSE TO REQUEST NO. 21:

See Response to Request Numbers 17 and 19.

REQUEST NO. 22:

Identify the federal and state offices to which such information was sent.

RESPONSE TO REQUEST NO. 22:

See Response to Request Numbers 17 and 19.

REQUEST NO. 23:

For each type of waste (including by-products) from National Power Rodding's operations in Indiana and Illinois during the time period of 1975 through 1999, including but not limited to all liquids, sludges, and solids, provide the following information:

- a. its physical state;
- b. its nature and chemical composition;
- c. its color;
- d. its odor;
- e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
- f. The dates (beginning and ending) during which each type of waste was produced by your company's operations.

RESPONSE TO REQUEST NO. 23:

NPR's operations do not generate any waste other than used PPE which would typically be placed in the containers with the customer's waste materials for management by the customer. NPR has no information about any waste materials from its customer's that went to this Site. NPR objects as overbroad to any interpretation of Request Number 23 which would require or seek information beyond that related to the Site.

REQUEST NO. 24:

Provide a schematic diagram that indicates which part of National Power Rodding's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

RESPONSE TO REQUEST NO. 24:

NPR typically cleaned its vehicles at its customer's location and returned the resulting fluids to the customer for management by the customer. Occasionally, NPR would use offsite commercial truck wash services for cleaning its vehicles. NPR would perform maintenance and cleaning on its vehicles at the locations identified in response to Request Number 11. Waste from those locations would be managed in accordance with the appropriate environmental requirements.

In the event of any unplanned releases or spills, NPR's personnel were trained to respond appropriately to mitigate the impact of any spill or release through the use of absorbents, booms or similar devices as appropriate. NPR has located no information to suggest that any of these operations are in any way related to the Site. NPR objects to Request Number 24 as overbroad to the extent that it seeks information beyond that related to the Site.

REQUEST NO. 25:

Describe how each type of waste was collected and stored at National Power Rodding's operation prior to disposal/recycling/sale/transport, including:

- a. the type of container in which each type of waste was placed/stored; and
- b. Where each type of waste was collected/stored.

RESPONSE TO REQUEST NO. 25:

NPR does not store any waste from its customers at its operations. NPR did not store waste at its facilities relate to the Site. NPR objects to Request Number 25 as overbroad to the extent that it seeks information not related to the Site.

In its routine operations, NPR would typically maintain a dumpster for solid waste at its facilities as well as drums for collection of used oils and similar vehicle related fluids.

REQUEST NO. 26:

Provide copies of all casualty, liability and/or pollution insurance policies, and any other insurance contracts related to the Gary Development Landfill (including, but not limited to, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies, Institutional Controls and Post Remediation Care Insurance) that provide National Power Rodding with liability insurance for damage to third party property from 1975 through 1999.

RESPONSE TO REQUEST NO. 26:

NPR is not asserting an ability to pay defense in this matter. NPR has insurance coverage from Commercial Union, now known as Cavell, related to any claim filed against NPR related to the Gary Development Landfill site. NPR has provided notice to Commercial Union of the potential claim related to the site. Commercial Union has not yet taken a position on coverage for this particular claim although Commercial Union has paid other similar claims in the past.

NPR objects to providing copies of its insurance policies on the grounds of relevance. Illinois is not a direct action state and NPR is not asserting an ability to pay defense.

REQUEST NO. 27:

To the extent not provided in Question 26 above, provide copies of all insurance policies that may potentially provide National Power Rodding with insurance for bodily injury, property damage and/or environmental contamination in connection with the Site and/or National Power Rodding's business operations. Include, without limitation, all comprehensive general liability, primary, excess, and umbrella policies.

RESPONSE TO REQUEST NO. 27:

See Response to Request Number 26.

REQUEST NO. 28:

To the extent not identified in Questions 26 or 27 above, provide all other evidence of casualty, liability and/or pollution insurance issued to your company for the period being investigated as identified in Question 26.

RESPONSE TO REQUEST NO. 28:

See Response to Request Number 26.

REQUEST NO. 29:

If there are any such policies from Questions 26, 27, or 28 above of which you are aware but neither possesses copies, nor are able to obtain copies, identify each such policy to the best of your ability by identifying:

- a. The name and address of each insurer and of the insured;
- b. The type of policy and policy numbers;
- c. The per occurrence policy limits of each policy; and

- d. The effective dates for each policy.

RESPONSE TO REQUEST NO. 29:

See Response to Request Number 26.

REQUEST NO. 30:

Identify all insurance brokers or agents who placed insurance for the National Power Rodding at any time during the period being investigated as identified in Question 26, and identify the time period during which such broker or agent acted in this regard. Identify by name and title, if known, individuals at the agency or brokerage most familiar with National Power Rodding's pollution and/or liability insurance program and the current whereabouts of each individual.

RESPONSE TO REQUEST NO. 30:

During the Relevant Period, National Power Rodding's insurance was procured by Lubin-Bergman. NPR objects to providing any further information on the grounds of relevance. In the event that USEPA wishes to contact Lubin-Bergman, please provide the basis for that request and NPR's counsel will respond.

REQUEST NO. 31:

Identify all previous settlements by your company (or your company's predecessors) with any insurer which relates in any way to environmental liabilities and/or to the policies referenced in Questions 26-29 above, including:

- a. The date of the settlement;
- b. The scope of release provided under such settlement;
- c. The amount of money paid by the insurer pursuant to such settlement.

Provide copies of all such settlement agreements.

RESPONSE TO REQUEST NO. 31:

NPR's parent Caryl Corporation and other NPR subsidiaries have entered into a number of settlements related to the insurance policies which cover the parent and the various subsidiaries. None of these settlements related to the Site or limited in any significant way the amount of money that would be paid by Commercial Union pursuant to any claim related to the Site. NPR objects to providing copies of any of the settlement agreements in these prior matters on the grounds of relevance. In addition, the agreements are by their terms confidential and NPR is not free to release them without a court order.

REQUEST NO. 32:

Identify all communications and provide all documents that evidence, refer, or relate to claims made by or on behalf of the National Power Rodding under any insurance policy referenced in Questions 26-29 above. Include any responses from the insurer with respect to any claims.

RESPONSE TO REQUEST NO. 32:

NPR objects to providing copies of any communications with its insurance carriers on the grounds that the request is overbroad and not relevant in light of NPR's ability to pay the claim asserted in this matter.

REQUEST NO. 33:

Identify any and all insurance, accounts paid or accounting files that identify National Power Rodding's insurance policies.

RESPONSE TO REQUEST NO. 33:

NPR objects on the grounds of relevance to USEPA's request.

REQUEST NO. 34:

List all named insureds on property, pollution and/or casualty liability insurance providing coverage to National Power Rodding during the period being investigated as identified in Question 26, and the date such named insureds appeared on the policies.

RESPONSE TO REQUEST NO. 34:

NPR is not able to readily identify all of the named insureds on its liability insurance policies during the Relevant Period. Typically, NPR's customers will request that they be added as a named insured for a particular project. Thus, there would be literally hundreds if not thousands of named insureds added during the Relevant Period. There is no comprehensive or easily accessible way to identify all of these named insureds. To the extent that USEPA seeks information about the named insureds that are unrelated to the site, NPR objects to the request as overbroad and not relevant.

REQUEST NO. 35:

Identify any person or organization requiring evidence of National Power Rodding's casualty, liability and/or pollution insurance during the period being investigated as identified in Question 26, including the nature of the insurance requirement and the years when the evidence was required.

RESPONSE TO REQUEST NO. 35:

Most of NPR's major customers would require evidence of NPR's insurance. There is no readily accessible way of identifying the hundreds or perhaps thousands of companies which would have to be identified in response to Request Number 35 if read literally. NPR objects to the request as irrelevant and overbroad to the extent that it relates to anything other than transactions involving the Site. NPR has not located the particular customer file for the work related to the single document produced by USEPA linking NPR to the Site. NPR does not know whether that particular customer is a named insured under NPR's policies.

REQUEST NO. 36:

Identify your company's policy with respect to document retention.

RESPONSE TO REQUEST NO. 36:

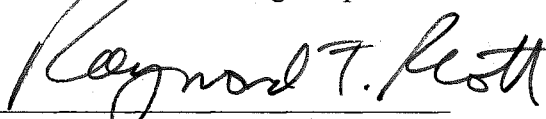
NPR typically retains its accounting records for 7 years. Some older records were sent to archives without being destroyed pursuant to that policy and are referenced above in the description of NPR's document search.

NPR typically retains its customer files indefinitely. These would include the project files related to a particular work done for a given customer.

NPR would typically not maintain correspondence with agencies, agency reports and similar documents any longer than its accounting files.

Respectfully submitted

National Power Rodding Corporation

A handwritten signature in dark ink, appearing to read "Raymond T. Roth", is written over a horizontal line.

By one of its attorneys

CC: William Kreidler
Nicole Wood

CERTIFICATION

I, William Kreidler certify under penalty of law that this document and all enclosures were prepared under my directions and supervision with the assistance of counsel in accordance with a system designed to have qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of those persons or person and persons directly responsible for gathering the information, the information submitted with this response, is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NATIONAL POWER RODDING CORPORATION



By: William Kreidler

Title: Vice President

Date: 9/24/12